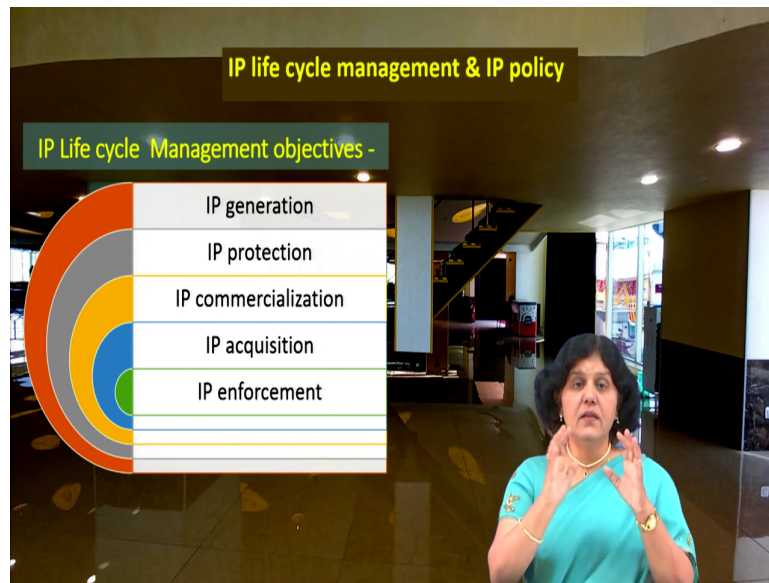


**IP Management and Technology Transfer**  
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**Lecture - 30**  
**IP Life Cycle Management and IP Policy**

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A very warm welcome in module 5 of week 6 of the course Intellectual Property Management and Technology Transfer titled IP Life Cycle Management and IP policy. Now, independently if you see in the last session only, we have focused on IP lifecycle management and we have understood that yes, there are how many steps? Three 5 steps are there. First three that is generation, protection and commercialization that is the first important thing and then the two that is a IP acquisition and IP enforcement.

So, you can just see here that 5 steps of IP lifecycle management and we have in detail we have understood that particular 5 types or 5 steps we can say of a IP lifecycles management.

Now, in the earlier sessions we have focused on IP policy and in that we have focused on almost 14 to 15 factors or titles or headings whatever word you want to use we have seen that particular we can say these the 15 aspects we can say of IP policy. I will keep it as aspects attribute or headings, because we have to go into details of that now.

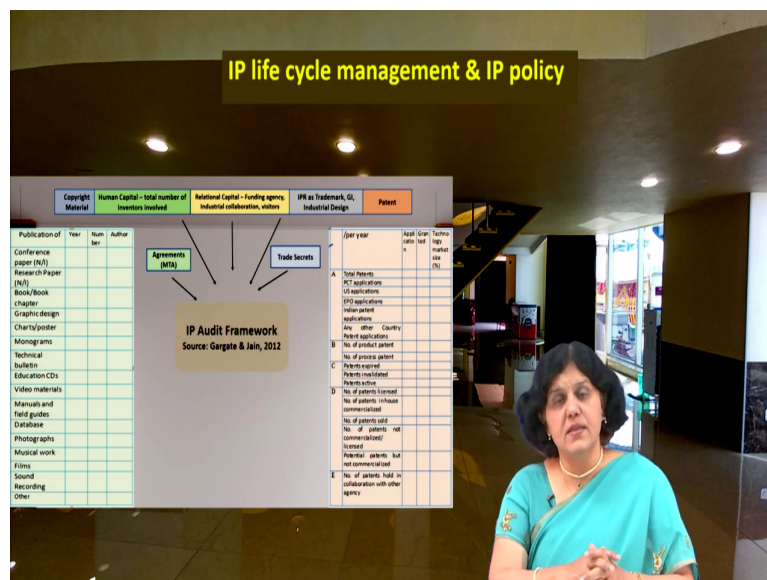
We have already dealt with that then what we have done? We have gone through the IP policy of IIT Bombay in detail we have understood that IP policy. Now, what we are talking now is like IP lifecycle management and IP policy are connected. Connected in a sense everything is integrated, actually whenever we are dealing with IP management, we always talk that there is a integration.

And we have seen that models also earlier we have revised it also and we have clearly understood that it is not (Refer Time: 02:17) that R and D, then innovation management, knowledge management, business strategy all these are getting integrated right. And all are dealing with that technology development, maybe if I am just talking about technology development, I am considering the organization as very technology driven actually.

You can apply to all other IPs also in that manner that integration is always there never it is working (Refer Time: 02:45) So, this five we can say the aspects of IP lifecycle management, we have already seen that then we have seen that 15 that major processes associated with this.

We will just take a look into that again and then we have to relate it with IP policy that total 15 factors or total 15 aspects of IP policy are there. And why you are doing this exercise that why we want to relate it with this IP management with the IP policy actually let us see that now in this session ok.

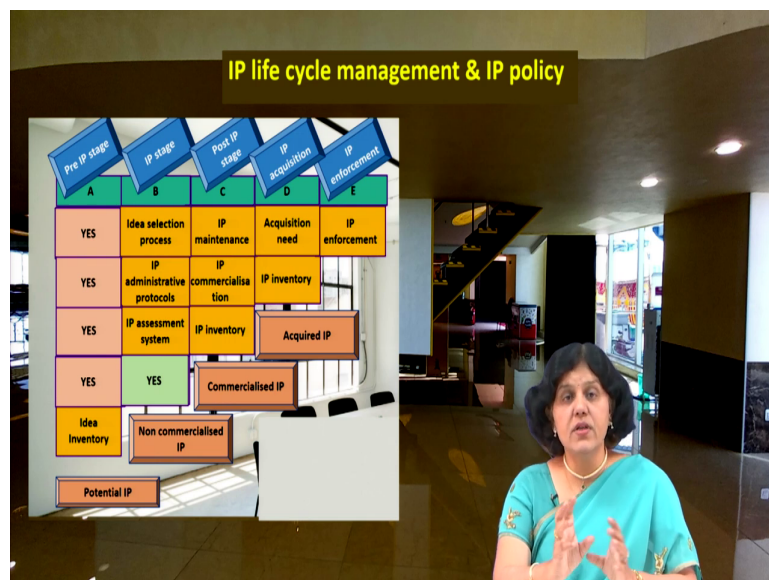
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So, we have seen this particular framework and we have already gone into details of that and I am very sure that as a example I will suggest that if you follow that whatever the frameworks, whatever models you are going through if you are applying to one example. If you continue probably that will help you to build up the IP management system for that particular system.

Maybe as a individual you can apply that, maybe as startup you can apply that, maybe as a organization you can apply this will be applicable at all this we can say the different stages or different kind of setups you can easily apply this particular framework. And you have received I am very sure that IP credence and you know that this is the IP credence of your whatever that system you are dealing with, this is a first exercise you probably have done.

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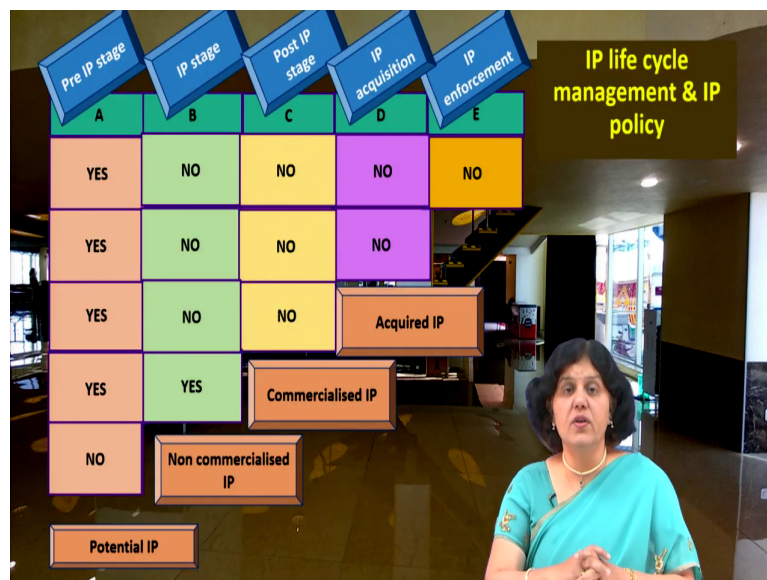


Now, the next exercise you can just see the next model and we have gone through this model in very much detail. And then we have understood that yes there are five stages then there are 15 major processes. And then there are these five you can say just now we have seen that five stages that is generation protection, commercialization, acquisition and enforcement is there.

And within that there are different 15 major processes are there which are helping for the generation right. And there one factor we have kept as IP policy actually that in generation we have there as a contract, IP policy and all that. We have already put it into that particular under one bucket you can say we have considered that.



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Then next what we are getting out of that particular model you have seen that there are different inventories you are receiving. And then there are like a four types of inventories like a potential IP, then non-commercialized IP, commercialized IP and then there is a acquired IP if at that stage you are. So, that four different types of inventories also you are receiving.

Now, you have seen that how to apply that model; so, and why you are applying that actually; so, now when you know the credence of IP credence of your system. So, for example, I just give you the example that if you see the IP credence of IITs actually, it is going when we are applying this model it is going around 3000 plus actually. And if you go to the around that particular number it is going and if you compare it with other academic institutes, the gap is quite we can say the and this is a fact actually that gap is big gap itself ok.

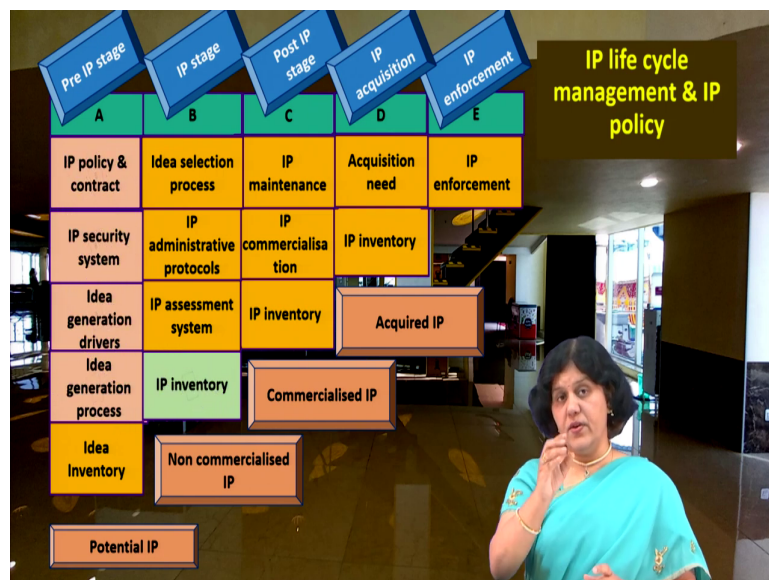
So, probably rather than the research shows that if you compare Indian organizations and the organizations from the developed nations. Definitely they show such a huge gap, huge gap is there means we can say that if we put it into the scale that one is at other end and next like it is a completely at a different end.

So, that gap is huge when we are talking just like IIT and other academic institutes. Similarly, if you take Indian organizations and the organization, I am talking about IP only ok, the focus is completely on intellectual property. I am talking in that context only; considering the processes, considering the systems and with complete research. Because, when we have done means I have done my research in that electrical engineering organization related IP management case studies and that gap whatever I have observed is a big gap is there.

When I have done the study in related to IITs and other academic institutes rather than central universities we have considered, the gap is again the big gap is there. So, the reasoning is like that somewhere out of this 15 processes whatever you are observing the one of the process or a few processes may not be at that maturity level.

Because, whatever the 15 processes you are seeing under this model probably that development is not there. Now, you just check out like if you see here that when you are applying this model, what is happening? You come to know that yes this, yes if it is there and you know that this processes are already there.

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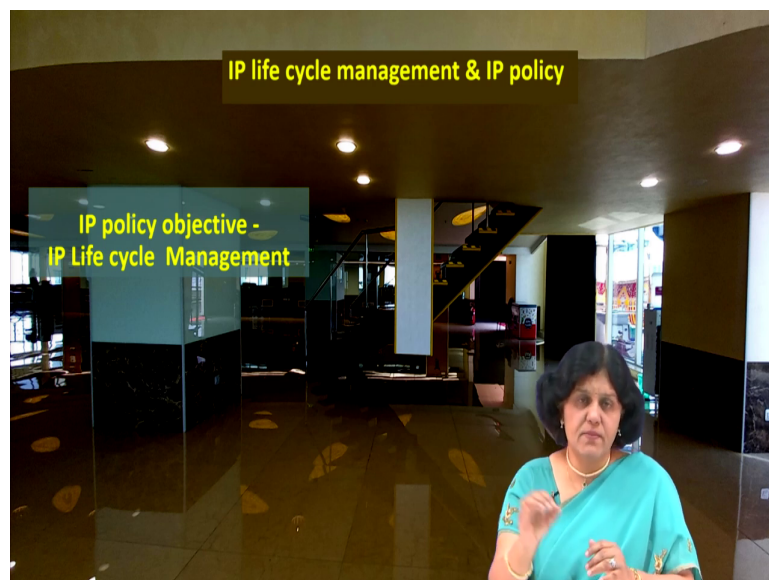
And know that ok this processes are not there, just a yes and no you have to say. Immediately you can do that 15 processes assessment and we will realize that ok we have this system to we do not have this particular kind of a major process we are not following actually. And that will easily immediately gives you the where exactly the IP management system of the organization. It is a very simple we can say the model which will help you to understand where exactly we are standing that; yes, out of 15 these processes are there and these processes are not there.

So, that framework and then this model the quantification or we can say the understanding of a performance level is very easy when we apply this to one framework and this particular model. Now, further what we have done that the next like when you will see that IP lifecycle management that five, we can say the components are there right. So, now this five

components and the 15 processes and now we will move to the that how these are related to IP policy.

Because, we are now moving towards the IP policy that 15 total whatever the aspects are there. Do you remember the 15 aspects what are there? Just gauge if you could gauge that 15 aspects, when we dealt with IP policy we have tried to understand that particular. We can say the 15 aspects of IP policy just try to recollect that. And now what we are doing is like that when we are talking about the IP policy you can just see here that IP lifecycle management is the objective of that IP policy.

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So, how it is related actually, when we are designing the IP policy what is our aim actually, why we are designing we have a national IP policy. And you can if you see the objectives of national IP policy what we are which what objectives we are keeping that we are seeing that

ok after particular duration we want to excel in that particular. Whatever the aspects we are considering, whatever the attributes we are considering we are expecting the excellence in that particular whatever aspect is there that is the objective of IP policy. It may be national IP policy; it may be the organizational IP policy whatever it may be ok.

So, suppose you are a organization academic institute you may be, you may be a SME, you may be a start-up, you need IP policy, why? Because if you have IP policy you have given the thought process regarding what probably I will do regarding my IP that particular guidelines are already there. And as that guidelines are already there you have taken the or anticipated the various scenarios, you have set the goals and all this is reflected in IP policy.

So, we can say that if you take a national IP policy of our nation, the awareness IP awareness is one of the objective. Now, why this objective is kept in that IP policy, because we know that we are not that much awareness is not there whatever expected. And that is objective and we are expecting that yes, all science especially means it is a that science and technology if any student is there.

At least they should have a basic knowledge of patent ok and then according to other IPs we are expecting that basic knowledge must be there; so, that is a objective. So, when we are dealing with the IP policy what we are doing we are in short trying to control or trying to design or trying to expecting creation of a blueprint for our IP system that is expected.

So, what we are doing that IP lifecycle management what that five we can say the aspects whatever are there we are dealing with. Now, you will say how we are dealing with something different like IP lifecycle and policy how we can relate; now, just look into the IP policy we can say the aspects.

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Now, you can just check here we have already dealt with this concepts or about the IP what is the what is the IP policy and what are the different factors, what are the different headings or what are the different aspects we consider in IP policy. And you can just go through we are dealing with ownership of IP, and why we are dealing with that we have already discussed that particular.

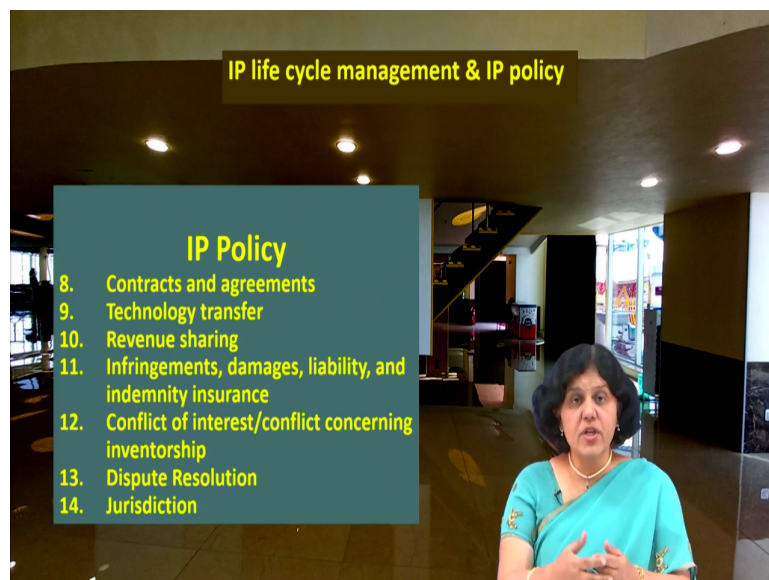
But do you remember why we are dealing with a in IP policy we are dealing with ownership issues. Do you remember what is the reasoning for that; we are dealing with a disclosure policy, disclosure policy of what just try to recollect that. Confidentiality, when you are keeping the things confidential, when you are how exactly you are managing that particular and all that thing that also we are taking into consideration.

Organizational assessment of innovation for protection we are doing that in IP policy, obtaining IPR, protection related decisions, renewal of IP rights. Then filing of application in foreign countries that PCT application all these decisions we are like whatever these points you are talking you are just checking here all these points we have dealt in the IP policy.

We know that we will deal with this thing there may be some issues related to this particular aspect, there may be ownership issue, there may be disclosure related issue; all this all these seven points are there. And we want to streamline the processes; so, that we will not invest our time on that mundane things which are going on related to the IP generation protection and then the commercialization.

We do not want to invest time on that the routine that streamlining is necessary. And for that we are we have the document like this and that document like a taking care of if any issue comes this document will be the reference to handle that issue Now, there are further more we can say you can just check here that then there are contracts and agreements, then there is a technology transfer, then there is like revenue sharing.

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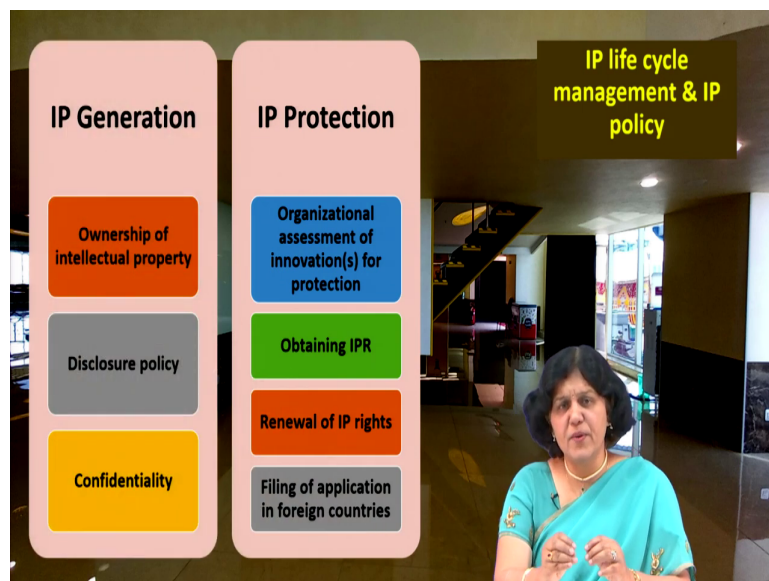
So, something when we are talking about a contracts and agreement or when we are talking about a technology transfer. We are expecting that we are creating IP and we are going to deal with the commercialization and then at that time I have to create the contracts, I have to sign the contracts, I have to draft that particular document. Then I will do tech transfer again that kind of activities will come into the picture. Then the commercialization is there, then IP transfer will be there, revenue sharing issues will come.

So, what probably the revenue sharing will be there already we have decided in the IP policy. Then if infringement happen unfortunate events happen, we have also taken care or we have already thought about that particular infringement, damages, liabilities and all other related we can say the scenarios. And then the if conflict of interest is the that also we are taking into considerations before only.



Dispute resolution if happen that is a very unfortunate event then judge jurisdiction and all everything we have clarified. So, that what will happen that if during the IP generation if something is like coming up and I need to handle that thing. And then need to worry about that particular how I will handle that because this document is healthy. Now, how this IP life cycle and IP policy these 15 points are related we will just now map this particular thing.

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I will just suggest you that you can just spend some time actually and you can just try out on your own before going further actually. Now, you can just yeah, I have just shown you here that IP generation and IP protection. But for the next that is IP commercialization and for that IP acquisition and then enforcement is there.

You just check out of that particular remaining points are there in the IP policy whether you are able to relate that. I will just explain this then you can take a pause and then you can just

try out that whether you can relate that remaining points with the commercialization, enforcement and if possible acquisition ok; so, you just check here.

Now, when we are talking about this generation the ownership issue will be them who will own, who will file, who will applicant, who will be a inventor that is a generation that is a one IP generation. You can just check here that the title like IP generation or IP protection these are the major we can say the process in the IP life cycle management. And below you can just check here the in the policy whatever that 15 aspects are there we have just mapped it here

So, when we are talking about IP generation, we have to take care of ownership if any ownership related issues happen, disclosure policy that how I am going to do invention disclosure. Whether it will be a physical invention disclosure, whether there is a online sustain or there is any other kind of a hybrid mode or something like that is the; so, what is that disclosure policy actually.

And then the confidentiality that whenever with this process is going on that we have to keep the things related to that particular invention or whatever IP is there. Whatever the precautions you have to take; obviously, you have to take that precautions that guidelines are already given in the IP policy. So, what will happen inventor is there who is probably may not be aware about the what exactly is going on during the IP protection that IP life cycle management.

But if he or she will go through the IP policy document, probably he or she will be aware about yes this is the steps I have to follow. And my patent will be like taken care of that filing and then the further prosecution part will be taken care and in not to worry about that, I have followed the IP policy of my organization.

So, that is so simple for the inventor who probably is not working. And or he need not to worry about the who will draft my patent, who will kind of generally mean when we are talking about established IP systems there is a very separate compartmentation is the.

And the things are streamlined and that issues related to ownership, suppose I can just cite one example and then we will move further to the IP protection. So, ownership related issues like suppose in the lab five students are working on the same problem and this happens. Generally, in the chemical sciences or other labs if you see that yes five students are engineering labs also.

You can just see that three four students are working together problem is there and then the contribution is like a it is a team activity actually. And now if team activity is there how you are going to decide on the inventership and we have already seen that the whether in patent we know about the research paper that how the weightage is given to the author actually right.

But what about a patent that weightage is how that weightage is decided that who will get how much and all that details actually; so, that all things are taken care by the IP policy only. So, in that way and it is necessary if it is not taken IP policy should take the care of that particular thing right. So, ownership related which is a major issue actually means if the commercialization is there this is the main point means commercialization is the last stage actually.

But we have to take care before the any project is starting and that is taken care by the IP policy ok. And you just apply to every aspect of IP policy you take and it is directly taking care of a IP lifecycle and that is expected. If it is not, we have to think about it, we have to revise our policy. And in the policy related sessions whenever we deal, you probably have heard many times I have said that policy is never stagnant. It is like a it should not be means it is always evolving actually and it is always dynamic.

So, today if I prepare policy, you should not feel that I will print it nicely and I will make it available. Generally, this happens you know that policy document is done developed then you feel that yes, a big task is done and all that thing yeah definitely a major issues are taken into consideration.

But always there is a case to case who comes some learning will be there immediately have to implement it in IP policy, your IP policy should tell immediately that in organization that circular immediately goes into all across the we can say the global R and Ds.

And wherever the that setup is there that circular goes that one point is taken care and accordingly now the action will be taken particular to that particular scenario right. So, it is always evolving we have to remember that particular thing ok. And therefore, you can say that versions after versions of that IP policy. And that is a if you are having many versions IP policy that is a very good sign of a innovation we can say or IP generation we can say ok.

Now, take a second example of a IP protections; now, in IP protection you can just see here that yes there is organizational assessment of innovation you have some processes you have decided it in the IP policy only that how the assessment will happen. And this is very critically we can say I have already shared when we are dealing with the policy, we have said that it is a very critical scenario.

Because, if there is number of invention disclosures are coming fund is important. And then selection comes and when you are doing the selection you have to have some parameters for that selection that assessment is there. And how you will do the assessment? So, that particular guidelines must be there in the policy only.

Then next is a obtaining of IPR that jurisdiction specific, decisions you have to take actually, foreign filing again the separate aspect we have get. But again the obtaining IP that procedure which you have to follow, you have to take several decisions related to IP by obtaining IP.

Whether you want to go on the fast track mode and whether you are going into the normal way, whether you are going to delay the process what you want to do. All these decisions you have to take actually and maybe you have that some guidelines must be there related to that also.

Then renewal of IP rights, who will do the renew maintenance fee, who will give and all that things also you have to deal it into the IP policy only. Otherwise, you have created IP, especially in case of a patent who will own that that particular maintenance cost. If there is a foreign filing who will kind of take the, especially the foreign filing is maintenance amount if you check who will take care of that. All these suspects are taken into care of a and the IP policy only.

Then the filing of application in foreign countries that whether you are going for conventional, PCT what are the guidelines if. So, there should not be like ok we will see, we will deal your patent is like a very tight time count time bound scenario actually. So, what are the guidelines for that particular decision making, when we should go for foreign money, how many countries, what will be the how will be the cost structure managed and all that.

So, all decisions all discussion must be there and it should be reflected in the IP policy. And you can just check that yes protection related decisions, IP policy generation related components. Completely if you see you can easily say that if your IP rather, I can make a statement, if your IP policy is a strong enough it very well drafted probably your IP system will be strong.

And your IP generation protection commercialization picture or that scenario will be very promising actually ok. Now, what you do you just take a pause here and what you do you just try to apply the remaining aspects. I just given you first example generation and protection; you try to apply it for the remaining components until that you can watch the video also ok take a break here.

Which organization we are like talking about, it is a Parle group. So, in within Parle group there are now three kind of a groups that is a subgroups you can say and we are talking about a parlay agro. So, that that Parle Agro group we will go little more details about that particular organization. But before going into the details of that organization, I would like to share a story of a Thums Up it is a very interesting story.

And you will definitely enjoy the story of Thums Up how exactly Thums Up came into the market. So, what happened in 1977, it is a long back kind of a 1977 when Coca Cola withdrew from India. Now, the reason for withdrew by the Coca Cola it is like a India they have the FDA approval and all that thing their government has made mandatory disclosure of the formula.

Now, when they have made the like a disclosure of a formula compulsory what happened Coca Cola like a decided to withdrew from the market. And you know Coca Cola it is a very popular kind of a example of a trade secret. So, the trade whenever anybody is talking about a trade secret generally the name of Coca Cola will come.

So, yes, this Coca Cola withdrew from the market and then at that time Chavan brothers; so, Chavan brothers are the owner of a Parle group. Now, they themselves like started working on that particular product like similar to that Cola.

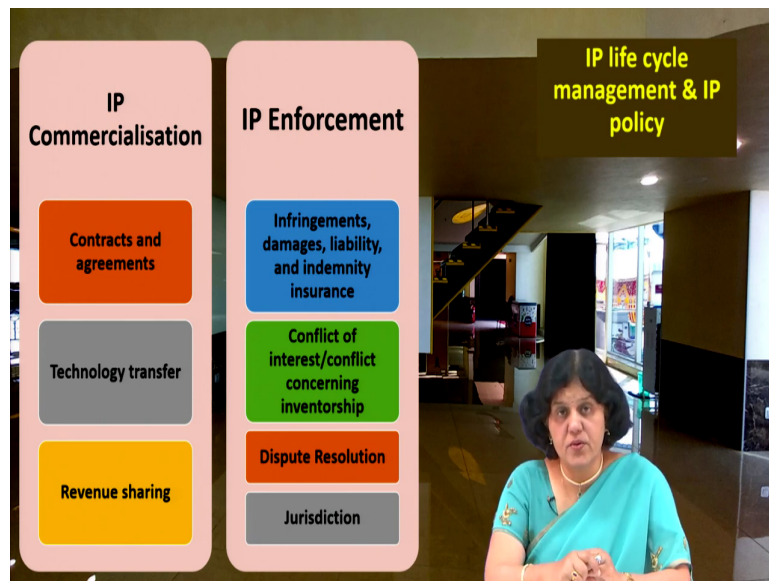
So, already they have the two brands in the market that is Limca and Gold Sport very popular in the market. Now, they have like invested that time, money, energy whatever you want to say, but they have taken a lot of efforts and a lot of experiments they have done and they have introduced this Thums Up into the market. And you just kind of imagine in 1980 within that 3 years this Thums Up become a very popular kind of a hair that soft drink into the market.

Now, they achieved monopoly within three years kind of a thing. Ramesh Chauhan, he has developed this formula from scratch you can say and the ingredients whatever used were like a cinnamon, cardamom, nutmeg and all that kind of a thing. So, the company also wanted to kind of have a drink which is a Fizzy and even when it was like a ice cold.

So, it should be like a two condition should be followed, it should be ice cold also and a Fizzy also. So, considering that in the mind and to replace kind of or to give a product which is near to the coke law they have done the research and they have yes kind of a came with a more spicier kind of a product and that product is acting like a Thums Up ok.

So, you probably have tried out that mapping and also you probably have enjoyed this the discussion related to IP policy and IP lifecycle management. And now just check whether whatever I am sharing here is matching with you or not.

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So, when we are talking about this IP commercialization, the points coming is like a contracts and agreements. Again, this is a big task actually, drafting a contract or agreements related to IP commercialization, again the next point if you see is a technology transfer related to that whatever the agreements will be required or contracts it is a huge task actually.

So, there may be some templates already created along with IP policy. So, whenever you will create IP policy generally you create; so, many templates actually. So, for that contracts, for that technology transfer related, activities different forms and templates will be created that will be already available to anybody in the that particular organization. And then the next is

like a revenue sharing, this is again the important part because generally what happens you know when you are filing IP at that time you are not sure whether it will be successfully commercialized or not.

But by your luck by your efforts by perfect planning, if that revenue is generated how will be the revenue sharing that we have to think before only. Because, when I was doing consultancy, I have dealt these are the this is the main issue actually and it goes very difficult to handle in the latter stage actually. So, we have to take a very much care about this revenue sharing which is coming into the commercialization.

So, commercialization itself is a very challenging and in that we can say that this contract part then the revenue sharing part its very very important actually. Now, the next that is IP enforcement actually, it is again the how you will just first important thing is how will identify that infringement has happened or not ok. So, that first we can say the analysis or a study of the market whether it is infringe or not.

Then whether you are taking a decision of that litigation or whether you have some other strategy for handling that particular issue. Because there are different scenarios, if you have if you have reached there that ok IP filing is done and then commercialization stages and my IP is like very strong.

And if IP is very strong the issues of infringements are generally there and then how will you identify that and then the how enforcement will happen. And if that is there who will bear the cost actually and how that decisions will be taken ok, all this should be there all it is covered in the policy actually.

So, we are anticipating various scenarios in advance when we are drafting the policy right. Suppose you take a delayed decision for a litigation who is going to give cost, if you decide on the settlement now the negotiation and settlement who will be in the team to negotiate that or you whose responsibilities it is in this. That all things must be thought before only when we are drafting that particular policy actually.



So, some guidelines must be there and accordingly that particular if such scenario happen and then the you have to make do the action actually. Already if you have that by the document that makes the handling of that issue much easier actually ok; and therefore, the IP policy is very important that draft is very important.

Next is like a conflict of interest or a conflict concerning the that particular we can say the inventory shape. If there is any conflict, I have already told that revenue sharing is like one important issue that that happened. Because so many inventors are there how you are going to share that particular revenue that is one thing. But here we are talking about a conflict of inventorship that is again the another issue that how you are going to handle that particular issue.

So, that that enforcement related to this then dispute resolution if there is any dispute related to the particular invention. And then unfortunately if you want you if you have to go to that court of law where what is that jurisdiction is very important right. So, all this you are covering into the IP policy and these are like a; so, we can say that when we are developing the policy document, we are taken into consideration all these four aspects.

And the acquisition related scenario probably if you are in that mode and all kind of acquisition related activities if it is like a very possible then probably in advance you have to think about it and that also you have to include it. Now, this we have dealt with a or this is according to the IIT Bombay the academic institute right. And we have not thought about acquisition point of view, but if it is a MSME, if it is a industrial organization, if it is a start-up there is a possibility of acquisition actually right.

Either if start-up is there or a mission is there somebody will get acquire somebody will acquire that particular, we can say this may happen. And the other way is that if you are a kind of a well settled organization, then you are acquiring the small we can say small firms or something like that. So, what is arrangement for that acquisition that should be also reflected in the IP policy, but we have not dealt with such a policies, we have just dealt with academic policy here.

So, we have taken the example here of a that IP policy of academic institute and then the IP management that IP life cycle management. So, I hope that you have understood that yes, it is like a when we are talking about a policy here, we have and the scenario. If you see in the I should country I should say that way that; so, many organizations do not have IP policy actually ok. And then the many times what happens that student and faculty members are very [FL] clueless that where we should go for IP filing and whether we have a right or not and all that issues come.

So, probably if we have to create that innovation environment and we are expecting IP organization should have some IP policy in place. Already we have shared with you how what are the different components, how you can design, the in the reading material folder we have already shared the paper with you. The research paper which we have published, you can develop your IP policy and you can at least create that environment in the institute actually ok.

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So, with this we are coming to the end of session and yes last that is a quiz time. So, what I will expect you to do in the in this IP life cycle management and IP policy. You just try to understand in your organization wherever you are a major processes of IP which are followed. And in that we have seen that 5 major processes 5 stages are there and 15 major processes are there.

What are you want to, what you have to do is that? You just out of that 15 major processes in the model you know that there are 15 major processes are there. So, you just check out that which major processes of IP are there actually ok and whether they are addressed properly in the IP policy of your organization; so, that whether that mapping is whether you are able to do the mapping of that.

Just like we have done the mapping now, then you just try out that if you could able to do the mapping of that particular. Write down in the comment box [FL] ok, we have maybe three processes that is absolutely fine, because we once you know that I have only two processes in place, I have only three processes in place.

Then at least we will realize that ok I have 3 I have to reach to 15; so, I will work on it and then I will develop my basis step. So, you just find out in that way that ok, I have three processes related to that the points are taken into consideration for IP policy. Now, first we will draft our IP policy and then we will develop our that remaining major processes actually.

And then you can focus according to the prioritise you can that particular process and then slowly it is not a like today you decide and tomorrow you have a system that will never happen that. So, you have it will grow slowly, but we have to start at some point. So, once you know the credence once you know where exactly your IP system stands, then you can move further and one more paper, we have shared in that you can calculate also the performance index of that IP system.

So, IP audit framework is giving you IP credence and this model whatever we have shared it is giving you performance index that is also shared actually. Now, in one of the paper you can just go through that paper and then you can calculate that number also what is your performance index and all ok.

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So, with this we are coming to the end of the session, see you in the next session.

Thank you.